

JUN 11 2002

PATENT

Docket No. 24180-907000

HHS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. of Hodson, et al.

Appln. No. 10/034,886

Filed: December 28, 2001

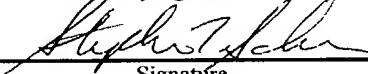
**For: Scored Package and a Method of  
Making the Same**

Examiner: unassigned

Group Art Unit: 3721

Certificate of Mailing

) I, hereby certify that this correspondence (along with any documents referred to as attached or enclosed) is being deposited with the US Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, DC 20231, on the date of my signature.

  
Signature

5-31-02

Date of Signature

COPY OF PAPERS  
ORIGINALLY FILED

**Box Missing Parts**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION**

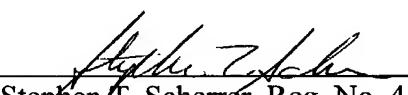
Applicants hereby responds to the Notice To File Missing Parts of Nonprovisional Application dated January 30, 2002, (copy enclosed) and provides the missing Combined Declaration and Power of Attorney herewith. In addition, Applicants enclose herewith thirteen (13) sheets of formal drawings and request(s) that the same be made of record in this application as a substitute for the drawings filed with the application December 28, 2001. This application is on behalf of other than a small entity Pursuant to 37 C.F.R. § 1.17(e), the surcharge for filing this Response is for other than a small entity in the amount of \$130.00, charge Account No. 13-0206 the sum of \$130.00. A duplicate of this transmittal is attached. Applicants also encloses herewith a Petition for Three-Month Extension of Time.

If any additional fee is required in connection with this communication, charge Account No. 13-0206. A duplicate of this transmittal is attached.

Date: May 31, 2002

Respectfully submitted,

MCDERMOTT, WILL & EMERY  
227 West Monroe Street  
Chicago, Illinois 60606-5096  
tel. no.: (312) 372-2000  
fax. no.: (312) 984-7700

  
Stephen T. Scherrer, Reg. No. 45,080  
One of the Attorneys for Applicant(s)

14003443436 061 102 *ff3*COPY OF PAPERS  
ORIGINAL

PTO/SB/17 (10-01)

Approved for use through 10/31/2002, OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no burdens are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL  
for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,050)

## Complete if Known

Application Number	10/034,886
Filing Date	December 28, 2001
First Named Inventor	Jay D. Hodson
Examiner Name	unassigned
Group Art Unit	unassigned
Attorney Docket No.	24180-907000

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 13-0206</p> <p>Deposit Account Name McDermott, Will &amp; Emery</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205 65 Surcharge - late filing fee or oath</td><td>130</td></tr> <tr><td>127</td><td>50</td><td>227 25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139 130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147 2,520 For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112 920* Requesting publication of SIR prior to Examiner action</td><td>920</td></tr> <tr><td>113</td><td>1,840*</td><td>113 1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215 55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216 200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217 460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218 720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228 980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219 160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220 160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221 140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138 1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240 55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241 640 Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242 640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243 230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244 310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122 130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123 50 Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126 180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581 40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246 370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249 370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279 370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169 900 Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">*Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$ 1,050)</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205 65 Surcharge - late filing fee or oath	130	127	50	227 25 Surcharge - late provisional filing fee or cover sheet		139	130	139 130 Non-English specification		147	2,520	147 2,520 For filing a request for ex parte reexamination		112	920*	112 920* Requesting publication of SIR prior to Examiner action	920	113	1,840*	113 1,840* Requesting publication of SIR after Examiner action		115	110	215 55 Extension for reply within first month		116	400	216 200 Extension for reply within second month		117	920	217 460 Extension for reply within third month		118	1,440	218 720 Extension for reply within fourth month		128	1,960	228 980 Extension for reply within fifth month		119	320	219 160 Notice of Appeal		120	320	220 160 Filing a brief in support of an appeal		121	280	221 140 Request for oral hearing		138	1,510	138 1,510 Petition to institute a public use proceeding		140	110	240 55 Petition to revive - unavoidable		141	1,280	241 640 Petition to revive - unintentional		142	1,280	242 640 Utility issue fee (or reissue)		143	460	243 230 Design issue fee		144	620	244 310 Plant issue fee		122	130	122 130 Petitions to the Commissioner		123	50	123 50 Processing fee under 37 CFR 1.17(q)		126	180	126 180 Submission of Information Disclosure Stmt		581	40	581 40 Recording each patent assignment per property (times number of properties)		146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279 370 Request for Continued Examination (RCE)		169	900	169 900 Request for expedited examination of a design application		Other fee (specify) _____				*Reduced by Basic Filing Fee Paid				SUBTOTAL (3) (\$ 1,050)	
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**or number previously paid, if greater; For Reissues, see above																																																																																																																																					

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Stephen T. Scherer			Registration No (Attorney/Agent)	45,080	Telephone	(312) 372-2000
Signature	<i>Stephen T. Scherer</i>			Date	May 31, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



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# FEE TRANSMITTAL for FY 2002

*Patent fees are subject to annual revision*

TOTAL AMOUNT OF PAYMENT	(\$)	1,050
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#### Complete if Known

Application Number	10/034,886	
Filing Date	December 28, 2001	
First Named Inventor	Jay D. Hodson	
Examiner Name	unassigned	
Group Art Unit	unassigned	
Attorney Docket No.	24180-907000	

#### METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	13-0206
Deposit Account Name	McDermott, Will & Emery

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status See 37 CFR 1.27

2.  Payment Enclosed:  
 Check     Credit card     Money Order     Other

#### FEE CALCULATION

##### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>		(\$)	0

##### 2. EXTRA CLAIM FEES

Total Claims	-20** =	X	=	Fee from below	Fee Paid
Independent Claims	- 3** =	X	=		0
Multiple Dependent					0

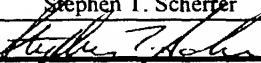
Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
103 18	203 9	Claims in excess of 20	
102 84	202 42	Independent claims in excess of 3	
104 280	204 140	Multiple dependent claim, if not paid	
109 84	209 42	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>		(\$)	0

\*or number previously paid, if greater. For Reissues, see above

#### FEE CALCULATION (continued)

##### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
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SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Stephen T. Scherer	Registration No (Attorney/Agent)	45,080	Telephone (312) 372-2000
Signature		Date	May 31, 2002	

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
www.uspto.gov

APPLICATION NUMBER	FILED/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/034,886	JUN 11 2002 RECEIVED U.S. PATENT & TRADEMARK OFFICE FEB - 7 2002	Jay D. Hodson	24180-907000

Stephen T. Scherrer  
McDermott, Will & Emery  
227 West Monroe Street  
Chicago, IL 60606-5096

RECEIVED  
FEB - 7 2002  
MW&E

CONFIRMATION NO. 1633  
FORMALITIES LETTER



\*OC000000007392151\*

Date Mailed: 01/30/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));

06/17/2002 AOSMAN1 00000053 130206 10034886

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*A copy of this notice **MUST** be returned with the reply.*

*R. J. Mays*